Appl. No.: 10/773,838
Amdt. dated: January 11, 2005
Reply to Office action of November 8, 2004

REMARKS / ARGUMENTS

The applicant acknowledges the allowance of claims 2 and 3 in the office action of November 8, 2004.

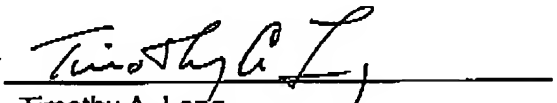
Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by Pike, US Patent No. 5,157,870 (Pike). According to the office action, Pike discloses a sharpening apparatus including a tool holder having a bore slidably engaging a guide post so that the tool holder is movable in a direction substantially normal to the planar abrasive surface. The applicant requests amendment of claim 1 as indicated above to clarify that the angular relationship of the bevel face defining the cutting edge of the tool and the abrasive surface does not change as blade of the tool is brought into contact with the abrasive surface so that proper angle is maintained after repeated sharpening of the tool. While Pike's disclosure of a "vertical adjustable bar 7 (not identified in the drawings) including a first lower vertical bar 7A slidable within a hollow conduit, within hollow upper vertical extension 7B (also not identified in the drawings) horizontal base slide bar 2, within which vertical adjustable support bar 7 is also vertically slidable" (column 2, line(s) 51-58) is structurally unclear, the applicant submits that as the scissors 6 is brought into contact with the abrasive surface of the disk 5 for sharpening, the angular relationship of the scissor's edge and the abrasive surface changes. According to Pike, the spring loaded pin lever 12 including a spring 12B (not separately identified in the illustrations) regulates the pressure applied to the clamp during the sharpening process and automatically releases the scissor edge from the sharpening disk when pressure on the clamp is released (column 3, line(s) 16-24). The applicant submits that to function as described the spring encircling the pin of the spring loaded pin lever 12 must be compressed when the scissor edge is brought into contact with the abrasive surface. Referring to FIG. 4, the applicant submits that the spring is compressed when the upper end of the spring is displaced by rotation of the support bar 14 around a pivot pin (illustrated but not identified or described) at the outboard end of the support bar. Since the clamp 4 is affixed to the end of the pivoting support bar 14, the scissor 6 moves in an arc and, therefore, the face defining the cutting edge rotates relative to the abrasive surface as the scissor is moved into contact. As a result, the relationship of the face of the blade defining the cutting edge and the abrasive surface is uncertain and the angle of the cutting edge is likely to be redefined each time the scissor is

sharpened. The applicant respectfully submits that the sharpening apparatus of claim 1 is not anticipated by Pike and requests withdrawal of the rejection.

The applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner believes that for any reason direct contact with applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

Chernoff, Vilhauer, McClung & Stenzel, L.L.P.
1600 ODS Tower
601 SW Second Avenue
Portland, Oregon 97204

By: 

Timothy A. Long
Reg. No. 28,876
Telephone No. (503) 227-5631
FAX No. (503) 228-4373